

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

VICTORIA ROMERO,  
Plaintiff,  
  
v.  
  
CAROLYN COLVIN,  
Defendant.

Case No. 5:13-cv-04844 HRL

**ORDER DIRECTING PLAINTIFF TO  
SHOW CAUSE WHY THIS ACTION  
SHOULD NOT BE DISMISSED**

Following reassignment of this matter to the undersigned upon consent of all parties, and for the better part of 2014, briefing deadlines were extended a number of times (mostly at the parties' joint request) to allow plaintiff time to find a new attorney. Plaintiff and her former counsel, Harvey Sackett, eventually stipulated that plaintiff would proceed pro se, in the place and stead of Mr. Sackett. (Dkt. 22). In its order approving that stipulation, this court advised plaintiff of her duty to keep the court informed of her current contact information, and noted that papers would continue to be served on Mr. Sackett, solely for forwarding purposes. (Dkt. 24). Additionally, the then-current briefing deadlines having lapsed by that time, the court directed the parties to submit a joint proposal for new filing deadlines---or, failing submission of a joint proposal, the court said it would set new deadlines on its own without the parties' input. (*Id.*).

The court received no proposal from the parties. So, on October 29, 2014, it issued an order re-setting briefing deadlines as follows: Plaintiff's summary judgment motion was to be


1 filed no later than November 28, 2014. Defendant's cross-motion was due by December 29, 2014.  
2 And, plaintiff's reply was to be filed no later than January 15, 2015. (Dkt. 26). This matter  
3 having been unduly delayed because of issues with plaintiff's representation, and deadlines having  
4 already been extended several times, the court stated that it was disinclined to grant any further  
5 extensions of briefing deadlines. (Id.). A copy of that order was electronically served on Mr.  
6 Sackett (solely for forwarding purposes). The court also sent a copy of that order by U.S. Mail to  
7 plaintiff at her identified address, and that mail was not returned as undeliverable.

8 Plaintiff never did file her summary judgment motion. Hence, no cross-motion or reply  
9 was filed either.

10 Accordingly, **no later than April 24, 2015**, plaintiff shall file a written response to this  
11 order, explaining why this case should not be dismissed for her failure to comply with the court's  
12 orders and for her failure to prosecute this case and her inattention to it. If plaintiff fails to submit  
13 a response as ordered by April 24, this matter will be dismissed without further briefing or  
14 hearing.

15 SO ORDERED.

16 Dated: April 9, 2015

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19 HOWARD R. LOYD  
20 UNITED STATES MAGISTRATE JUDGE  
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5:13-cv-04844-HRL Notice has been electronically mailed to:

Alex Gene Tse alex.tse@usdoj.gov, kathy.terry@usdoj.gov, USACAN.SSA@usdoj.gov

Harvey Peter Sackett hps@hpspc.com, juanita@sackettlaw.com, Matt@sackettlaw.com

Patrick William Snyder patrick.snyder@ssa.gov, ODAR.OAO.COURT.1@ssa.gov,  
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5:13-cv-04844-HRL A copy of this order sent by U.S. Mail on April 9, 2015 to:

Victoria A. Romero  
220 West California Street, Apt. B  
Sunnyvale, CA 94086